

PUBLIC CHAPTER NO. 569

SENATE BILL NO. 1052

By Lowe Finney, Herron

Substituted for: House Bill No. 1935

By Rinks, Shaw

AN ACT to amend Tennessee Code Annotated, Title 64, Chapter 1, relative to river basin development authorities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 64, Chapter 1, Part 11, is amended by deleting § 64-1-1101 in its entirety and by substituting instead the following:

Section 64-1-1101. (a) There is hereby created and established, within the Department of Environment and Conservation, the West Tennessee River Basin Authority, referred to as the "authority" in this part.

(b) The authority is created to preserve the natural flow and function of the Hatchie, Loosahatchie, Obion, and Forked Deer River basins through environmentally sensitive stream maintenance. The authority will also seek to:

(1) Maintain or stabilize the function of altered streams and rivers for which the expectation of altered drainage is well established because of agricultural or other land uses and for which the restoration of natural stream or river function is not practicable;

(2) Restore, where practicable, in a self-sustaining manner, natural stream and floodplain dynamics and associated environmental and economic benefits; i.e., restore and conserve fisheries and wildlife habitat, wetlands, water quality, and naturally or economically productive bottom land hardwood systems;

(3) Facilitate the proper interaction of private activities adjacent to or affecting public waters that may be negatively affecting those waters; and

(4) In general, provide regional and local leadership for the conservation and sustainable utilization of these river basins and the creek and river basins that flow through the counties of Benton, Decatur, and Hardin into the Tennessee River.

These activities shall be accomplished in the twenty-county area of West Tennessee comprised of Lauderdale, Lake, Dyer, Obion, Madison, Weakley, Henry, Gibson, Carroll, Benton, Decatur, Hardin, Haywood, Crockett, Henderson, Chester, McNairy, Tipton, Fayette, and Hardeman counties.

(c) The authority shall be administered in such a way as to maximize the funds spent on actual work on the rivers and minimize administrative costs.

(d) As an agency of the state, attached to the department, the authority shall be subject to all laws and regulations applicable to any state department.

SECTION 2. Tennessee Code Annotated, Section 64-1-1102(a), is amended by deleting subdivisions (4) and (5) and by substituting instead the following:

(4) Two (2) members of the House of Representatives representing part of the area to which this part applies, to serve on the board during such representative's term of office, to be appointed by the House Speaker from different political parties;

(5) Two (2) members of the Senate representing part of the area to which this part applies, to serve on the board during such representative's term of office, to be appointed by the Senate Speaker from different political parties;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 12, 2007


RON RAMSEY
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of June 2007



PHIL BREDESEN, GOVERNOR